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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/681,981	10/09/2003	Richard M. Lehrer		8811
7590 Richard M. Lehrer 1 Prior Court Palisades, NY 10964		01/18/2007	EXAMINER MAI, TRI M	
			ART UNIT 3727	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

Response to Rule 312 Communication

Application No.

10/681,981

Applicant(s)

LEHRER, RICHARD M.

Examiner

Tri M. Mai

Art Unit

3781

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on 18 December 2006 under 37 CFR 1.312 has been considered, and has been:

a) ☐ entered.

b) ☐ entered as directed to matters of form not affecting the scope of the invention.

c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.


d) ☐ disapproved. See explanation below.

e) ☒ entered in part. See explanation below.

1) Claims 19 and 20 have been entered.

2) Claim 18 will not be entered because objections to 37 CFR 1.83(a) where the drawings fails to show the top portion including a slit

3) Since applicant to rejoin certain claims, the previous Restriction/Election is withdrawn.


Tri M. Mai
Primary Examiner
Art Unit: 3781

enter only
claims #4 to
Telly 1/11/07

1. (Previously Presented) A box for transporting hot food, the box having a top, a bottom an inside and an outside, and adapted to house the hot food while maintaining a portion off of the bottom of the box, the box comprising:
a plurality of ribs, secured to a plurality of bases,
at least one of said plurality of bases is adhered to the bottom of the box,
the plurality of ribs are selectively moveable between a storage position and a support position, the storage position being substantially flat relative to said bottom and said support position configured to maintain a portion of the hot food off of the bottom of the box but below the top of the box and being substantially perpendicular relative to said bottom;
a connector formed from a one-piece blank with at least one of said plurality of ribs and configured to extend from the inside of the box to the outside of the box, wherein the connector is configured to simultaneously move the plurality of ribs between the storage position and the support position; and to prevent the ribs from moving back to the storage position by mating with the box.
2. (Original) The pizza box according to Claim 1 wherein the top of the box includes tabs extending from the top wherein at least one of the tabs has a cut out portion coinciding with said connector.
3. (Original) The pizza box according to Claim 1 further having at least one side, wherein the one side has a slit therein and wherein the connector is configured to extend through the slit.

4. (Original) The pizza box according to Claim 1 further having at least a front side, wherein the front side has a slit therein and wherein the connector is configured to extend through the slit.
5. (Canceled)
6. (Canceled)
7. (Canceled)
8. (Original) The pizza box according to Claim 1 wherein the plurality of ribs have a top portion, and wherein the connector is connected to the plurality of ribs at the top portion.
9. (Canceled)
10. (Original) The pizza box according to Claim 1 wherein at least two of said plurality of ribs are connected together.
11. (Original) The pizza box according to Claim 1 wherein at least two of said plurality of bases are connected together.
12. (Previously Presented) A method of supporting a pizza in a pizza box comprising: connecting a plurality of ribs to a bottom of the box; wherein at least one of the plurality of ribs is formed from a one-piece blank with a common connector; simultaneously moving the plurality of ribs with the common connector from a substantially flat position relative to the bottom to a substantially perpendicular position relative to said bottom, pulling the common connector to an outside portion of the box and locking the common connector against an outside of the box; and, supporting an item of food directly on the ribs and below a top of the box.

13. (Original) The method according to Claim 10 wherein the outside portion of the box includes a front of the box.

14. (Canceled)

15. (Canceled)

16. (Canceled)

17. (Original) Apparatus for supporting hot food in a delivery box having a top a bottom and a plurality of walls, said apparatus comprising:
a blank of material, configured to be adhered to the bottom of the box, having a plurality of horizontal and vertical cuts therein;
wherein the horizontal cuts form a plurality of rib/base pairs and the vertical cuts form a pull tab coupled to the plurality of rib/base pairs only by the ribs;
wherein at least two of the horizontal cuts partially separate at least two of the ribs from at least two of the bases;
wherein the pull tab is configured to mate with the box after it is pulled; and,
wherein the pull tab is configured to simultaneously rotate at least two of the ribs from a substantially flat position to a substantially perpendicular position.

18. (New) The pizza box according to Claim 1 wherein the top includes a slit therein and wherein the connector is configured to extend through the slit.

19. (New) The pizza box according to Claim 1 wherein at least one of said plurality of ribs has a hole therein.

20. (New) The pizza box according to Claim 1 wherein the plurality of ribs have a top portion, and wherein the connector is connected to the plurality of ribs at a point below the top portion.